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EXAMINER

PROCTOR, JASON SCOTT

ART UNIT PAPER NUMBER

2123

DATE MAILED: 03/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/786,440

Applicant(s)

KROGER ET AL.

Examiner

Jason Proctor

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 46-68 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 46-68 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicants' submission filed on 29 September 2005 has been entered.

Applicants' submission filed on 29 September 2005 has amended claims 46 and 62. Claims 46-68 are pending in this application. Claims 46-68 have been rejected.

#### ***Specification***

The Examiner thanks Applicants for submission of the previously filed specification. This submission clarifies that the duplicate pages found in the Office's copy of the specification are unintentional. The previous objection to the specification has been withdrawn.

#### ***Claim Objections***

Claims 51, 52, 53, 57, 58, 59, and 62 are objected to because of the following informalities:

1. Claim 57 is objected to because it appears to omit a key word. The phrase "determining the appropriate position variant definition to select for each position in accordance for the mapped code rule evaluations" appears to omit what is selected. Alternatively, it is unknown

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what results from this step if the intended interpretation is to select a definition. Applicants' claim language appears to establish "position variants" as what is selected, in contrast to the "position variant definitions" which appear to define the valid "position variants" for a given position (see claim 46, etc.).

2. Claim 51 depends from claim 50, defining a method, however claim 51 presents limitations directed solely to the structure of an apparatus or data processing system. There appears to be no logical nexus between the structure recited in claim 51 and the method steps of claim 50. That is, the inclusion or exclusion of the structure of claim 51 has no influence on the method of claim 50. Therefore, it is unclear what invention is defined by claim 51 or whether it differs in any way from claim 50. For the purposes of examination, claim 51 will be treated with claim 50.

Contrast the form of claim 51 to the form of claim 55, which recites similar structure (order matrix) but also recites method steps that interact with or involve that structure. This observation does not overcome the deficiencies of claim 55 inherited from claim 51.

3. Claim 52 presents limitations that the Examiner can only interpret with speculation.

"Dividing each unique code rule into its discrete code rule elements" will be interpreted as inherent in any computer system that evaluates "code rules."

The meaning of "linking each discrete code rule element with order data for the corresponding code rule element in the order matrix" is unknown. There appears to be no antecedent basis for "the corresponding code rule element in the order matrix." It is unclear if

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the intended meaning is that “linking” occurs “in the order matrix,” and if so, what the result of this step is. Are code rules stored in the order matrix? Are orders contained in the order matrix (claim 51) externally linked to code rules? Is this step inherent to evaluating code rules?

“Evaluating each unique code rule in accordance with the order data linked to the associated discrete code rule elements” appears to recite an inherent step in any operable configuration tool that evaluates configuration rules. That is, the entirety of claim 52 appears to be functionally equivalent to “checking the validity of an order representing a chosen configuration.” The claim will be interpreted accordingly. Clarification or correction is requested.

4. Claim 53 presents limitations that the Examiner can only interpret with speculation.

“Factoring each unique code rule into one or more simpler code rule components” appears to be at least equivalent to “dividing each unique code rule into its discrete code rule elements” as recited by claim 52, which will be interpreted as inherent in any computer system that evaluates “code rules”.

Claim 53 recites “wherein the step of dividing each unique code rule comprises the steps of [...] dividing each code rule component into one or more discrete code rule elements.” This limitation appears to be redundant and renders it unclear whether claim 53 further limits the parent claim or defines a different invention. It appears that it may be inappropriate for claim 53 to depend from claim 52.

The steps of “evaluating” recited by claim 53 will be interpreted as inherent in any operable configuration tool that evaluates configuration rules. It is unknown how these limitations should be interpreted as further defining such an invention.

Claim 58 presents similar limitations to claims 52 and 53 and is rejected for similar rationale.

Claim 59 presents similar limitations to claims 52 and 53 and is rejected for similar rationale. Claim 59 additionally recites the phrase “factoring each unique code rule into simpler code rule components” which is vague and indefinite.

Claim 62 presents similar limitations to claims 52 and 53 and is rejected for similar rationale.

The limitations of claims 58-59 and 62 similar to the limitations of claims 52 and 53 will be interpreted as set forth in the context of claims 52 and 53.

Claim 68 presents a seemingly arbitrary limitation and does not appear to further limit the invention. It appears that claim 68 should properly depend from 67. As written, claim 68 recites a step of “repeating the mapping step (of claim 65) upon receipt of a resequenced order matrix” but the mapping step of claim 65 appears to be wholly unrelated to a resequenced order matrix. Claim 68 appears to have no functional effect on the method of claim 65 and is therefore interpreted as functionally equivalent to claim 65. Presumably this interpretation is not what Applicants intend, however the correct interpretation, and thus the intended metes and bounds of the claim, are unknown.

Appropriate correction is required.

*Claim Rejections - 35 USC § 101*

35 U.S.C. § 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 46-68 are rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter.

In light of recent changes to Office policy, the claims of the instant application are directed to nonstatutory subject matter. The current policy guidelines require that a computer-related method be limited to a practical application and produce a useful, concrete, and tangible result (MPEP 2106). The claims appear to meet the practical application requirement, however they fail to produce a tangible result.

Independent claim 46 recites a computerized method comprising steps of defining, assigning, and defining, which in the context of a computerized method, all fail to produce the required tangible result. It is noted that the method is “for manufacturing an article of manufacture” however the recited steps do not reflect this statement of intended use. The Examiner respectfully suggests reciting a step related to manufacturing the article defined by the existing steps, thus resulting in a tangible result and overcoming the basis for this rejection.

Independent claim 50 fails under similar analysis. The recited steps of extracting, evaluating, mapping, and determining fail to produce a tangible result. The Examiner respectfully suggests reciting a step related to producing an article of manufacture defined by the existing steps to overcome the basis for this rejection.

Independent claim 56 recites a system with physical structure, however presents limitations defining a method performed by the processor. The method which defines the patent protection sought by this and dependent claims is nonstatutory for the reasons set forth above. MPEP 2106 (IV)(B)(2) states: "For the purposes of a 35 U.S.C. 101 analysis, it is of little relevance whether the claim is directed to a machine or a process. The legal principles are the same." Therefore, if Applicants' seek patent protection for the system as defined by the method it performs, that method must be statutory.

Independent claims 62 and 65 recite "a programmable medium containing a computer program." These apparatus claims proceed to distinguish the invention by the method performed. However, as with independent claim 46, these methods fail to produce a useful, concrete, and tangible result.

Claims rejected but not specifically mentioned stand rejected by virtue of their dependency.

To expedite a complete examination of the instant application the claims rejected under 35 U.S.C. § 101 (nonstatutory) above are further rejected as set forth below in anticipation of applicant amending these claims to place them within the four statutory categories of invention.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –



(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

6. Claims 46-53, 56-59, 62-65, and 68 are rejected under 35 U.S.C. § 102(a) as being anticipated by “Product Configuration Using Object Oriented Grammars” by Görel Hedin, Lennart Ohlsson, and John McKenna (Hedin).

Regarding claim 46, Hedin discloses:

Defining a net of positions with each position corresponding to a different predefined location on the article of manufacture [*“A very simplified component hierarchy for a plate heat exchanger is shown in Fig. 3”* (page 4, section 3.1); Fig. 5, page 5; compare to Fig. 1, page 2; and compare to *“Our example concerns the mechanical configuration of the PHE, i.e. how a plate package is configured with frame plate, pressure plate, carrying bar, support column, tightening bolts, etc. Each frame plate and pressure plate has four holes which can be used in different ways...”* (pages 2-3, section 2)];

Assigning at least one position variant to each position, each position variant identifying a specific part that may be used at the respective position in accordance with a particular design variant, so that, in a particular article of manufacture, only one of the at least one position variants can be selected for the respective position [*“Fig. 4 shows an example of types, prototypes, and a partial configuration.”* (page 6, section 3.2); Fig. 4, page 7, for example “FP1” and “FP2” defining two position variants for the FramePlate position; *“An important aspect of product configurator tools is that they should support the user not only with checking validity, but with selecting valid components.”* (page 6, section 3.2); the PHE depicted in Fig. 1 clearly has only one frame plate, therefore “selecting valid components” implicitly means “only one frame plate can be selected for the frame plate position.” Similar analysis applies to the other

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components of the assembly. Also, “*automatically adding components when there is only one valid choice*” (page 14, section 5.1)];

Defining a plurality of links each between particular pairs of positions, each link corresponding to a physical connection between parts in a pair of locations in the article of manufacture, which pair of locations corresponds to the respective pair of positions [“*Enclosing mechanism*” (page 9, section 4.2); “*As an example: consider checking that the depth of a Lining is the same as the depth of the Hole in which it is place. In our example, Hole has no explicit property depth, but if the Hole is in a FramePlate, the depth of the Hole is of course the same as the thickness of the FramePlate. Fig. 6 shows a solution which combines the use of derived properties and the enclosing mechanism*” (pages 9-10, section 4.2); This examples teaches at least a link between Hole and FramePlate corresponding to a physical connection between those parts in their respective locations in the article of manufacture. See also “*a LargeBlindCover must stand the pressure imposed from the plate package and is therefore bolted to the FramePlate... This is modeled by specifying different properties and rules in LargeBlindCover*” (page 10, section 4.3)].

Regarding claim 47, Hedin discloses assigning at least one connection variant to each link, each connection variant specifying a particular method of joining a part in a first position of the respective pair of positions to a part in the other position of the respective pair of positions [“*a LargeBlindCover must stand the pressure imposed from the plate package and is therefore bolted to the FramePlate or PressurePlate, whereas a SmallBlindCover is attached by a simple*

*snap mechanism. This is modeled by specifying different properties and rules in LargeBlindCover and SmallBlindCover.” (page 10, section 4.3)].*

Regarding claim 48, Hedin discloses formulating a code rule for each position variant indicating when the particular variants should be selected in accordance with specified design options [“*Validity rules: A validity rule is a boolean expression over properties. A configuration is said to be valid if all the validity rules in the configuration are satisfied. A validity rule corresponds to a semantic condition in an attribute grammar.*” (page 8, section 4.2)]

Upon receiving an order containing specified design options:

Evaluating the code rule for each position variant to select a specific position variant for each position and thereby identify a specific part for use in the location corresponding to the respective position [“*The configurator should have support for constructing valid configurations by presenting only the valid choices, and for automatically adding components when there is only one valid choice. It is also possible to automatically complete a partial configuration using default components and configuration properties.*” (page 14, section 5.1)]; and

Providing the specific part associated with each selected position variant in order to assist in the manufacture of the article of manufacture using the specific parts in the corresponding locations [implicit from at least “*The components come in many different sizes and material in order to fit different plate package configurations and to cater for the customer requirements on for example pressure and corrosion properties.*” (page 3, section 2)].

Regarding claim 49, Hedin discloses assigning component documentation data to a predetermined set of position variants [*“From a manufacturing perspective a block is a named assembly with a fixed set of components, i.e. it identifies a particular bill-of material.”* (page 3, section 2)];

Defining at least one assembly to be documented, said assembly comprising a plurality of positions and having a plurality of design variants [*“For example, a given “tightening bolts block” identifies a certain set of actual nuts and bolts.”* (page 3, section 2)];

Upon receipt of a customer order specifying selected design options:

Determining the specific assembly design variant defined by the selected design options [*“From a sales perspective, however, a block appears as a component in the sense that blocks are the atomic elements which can be configured into a customer specific product.”* (page 3, section 2); and *“For example, a given “tightening bolts block” identifies a certain set of actual nuts and bolts.”* (page 3, section 2)];

Aggregating the documentation data assigned to the positions in the assembly, and storing the aggregated documentation data [implicit from the disclosure shown above, i.e. from a manufacturing perspective, the components of a given “tightening bolts block” are known. This knowledge must be stored somewhere. Further, *“It is also possible to automatically complete a partial configuration using default components and configuration properties.”* (page 14, section 5.1)].

Regarding claims 50-53, the lengthy preamble of claim 50 provides a clear definition for the term “bill of materials BOM.”

This term does not refer to “a report showing the material costs of a single unit of product; listing of all unit components with part numbers, quantities, and supplier prices” (IEEE 100, The Authoritative Dictionary of IEEE Standards Terms, Seventh Edition).

Applicants’ clear definition for “bill of materials BOM” includes at least “containing a plurality of position variant definitions, each position variant definition being assigned to a particular position corresponding to a physical location in the article of manufacture, each position variant definition further identifying a specific part and including a code rule indicating when the identified part should be used at the location corresponding to the particular position, wherein each code rule is a logical statement including one or more unique code rule elements”

Among the numerous additional components in Applicants’ definition are “a plurality of position variant definitions,” which are interpreted according to the specification (substitute specification, page 9, second paragraph):

At each position 12, one or more position variants 16 are defined. (Fig. 2) Each variant 16 identifies a specific part which can be placed in the article at the location corresponding to the position associated with the position variant.

Therefore, Applicants’ “bill of materials BOM” may include a list of the valid specific parts (a plurality of position variants) for a given position, this aspect being functionally equivalent to “a net of positions” with an associated “at least one position variant for each position”.

Applicants’ definition also includes “a code rule indicating when the identified part should be used at the location corresponding to the particular position, wherein each code rule is a logical statement including one or more unique code rule elements,” a limitation recited almost *verbatim* by claim 48.

Applicants' definition of "bill of materials BOM" combines equivalents of "a net of positions" (claim 46), "assigning at least one position variant to each position" (claim 46), "receiving an order containing specified design options" (claim 48), and "evaluating the code rule for each position variant to select a specific position variant for each position and thereby identify a specific part for use in the location corresponding to the respective position" (claim 48).

Therefore, in claim 50, the recited steps of "extracting unique code rules from the BOM," "evaluating each unique code rule in accordance with the design options for each order," "mapping the evaluations of the unique code rules to the corresponding code rules in the position variant definitions in the BOM," and "determining the appropriate position variant definition to select for each position in accordance with the mapped code rule evaluations" are interpreted as being functionally equivalent to and at least as narrow as the limitations of claim 48. Claims 50-51 are therefore rejected for the rationale similar to that given above for claim 48. Additionally, it is inherent in Hedin that code rules, specific parts, and so forth must be stored in some data structure which, in the present context, appears to be at least functionally equivalent to Applicants' definition of "bill of materials."

As indicated above, claims 52-53 are interpreted as inherent in a system that evaluates configuration codes, as clearly disclosed by Hedin (page 14, section 5.1).

Regarding claim 56, the term "bill of materials BOM" is interpreted as set forth above in the context of claim 50. Claim 56 recites the physical structure necessary to perform a method generally corresponding to claim 50, i.e. a computer having a processor and memory, the

memory storing the requisite data. This physical structure is regarded as implicit in Hedin's disclosure (abstract, entire document).

Regarding step a, Hedin discloses evaluating code rules in accordance with selected design options in order to identify an appropriate part for use in each location of the corresponding particular design variant of the article [*"The user builds a configuration by successively adding components, and at any time, the current partial configuration will limit the valid choices for remaining components. The configurator should have support for constructing valid configurations by presenting only the valid choices, and for automatically adding components when there is only one valid choice. It is also possible to automatically complete a partial configuration using default components and configuration properties."* (page 14, section 5.1)];

Regarding step b, it is implicit in an "interactive configuration tool" that the tool produces an output indicating the appropriate parts for use in the corresponding particular design variant of the article (page 14, section 5.1).

Regarding claim 57, Hedin discloses mapping the evaluations of the unique code rules to the corresponding code rules in the position variant definitions in the BOM (page 14, section 5.1) and determining the appropriate position variant definition to select for each position in accordance with the mapped code rule evaluations (page 14, section 5.1).

As indicated above, claims 58-59 are interpreted as inherent in a system that evaluates configuration codes, as clearly disclosed by Hedin (page 14, section 5.1).

Claim 62 recites a programmable medium containing a computer program for carrying out a method substantially according to and at least as narrow as claim 48. This computer program and programmable medium is regarded as implicit in Hedin's disclosure (abstract, entire document). Claim 62 is rejected for rationale similar to that given for claim 48.

Claim 63 recites a combination of limitations found in claims 46 and 47 and is rejected for rationale similar to that given for claims 46 and 47.

Regarding claim 64, Hedin discloses identifying an appropriate method of joining the identified parts for the corresponding pair of positions in response to the receipt for an order containing specified design options [*"a LargeBlindCover must stand the pressure imposed from the plate package and is therefore bolted to the FramePlate or PressurePlate, whereas a SmallBlindCover is attached by a simple snap mechanism. This is modeled by specifying different properties and rules in LargeBlindCover and SmallBlindCover."* (page 10, section 4.3)]; and

Using the identified method to join the respective identified parts is implicit in the disclosure cited above as well as [*"The configurator simplifies the manufacturing process by assuring that all orders received are possible to build."* (page 1, section 1)].

Regarding claims 65 and 68, Hedin anticipates the claimed invention or equivalent by disclosing the following:



[*“A product configurator is a tool which supports the product configuration process so that all the design and configuration rules which are expressed in a product configuration model are guaranteed to be satisfied. The configurator simplifies the manufacturing process by assuring that all orders received are possible to build. Interactive configurator tools can support quick and flexible customization by giving immediate and accurate information about the available combinations of options.”* (page 1, section 1); and *“The AG-based model immediately supports only checking the validity of a configuration. It is also desirable to support the user in constructing a valid configuration. The user builds a configuration by successively adding components, and at any time, the current partial configuration will limit the valid choices for remaining components. The configurator should have support for constructing valid configurations by presenting only the valid choices, and for automatically adding components when there is only one valid choice. It is also possible to automatically complete a partial configuration using default components and configuration properties.”* (page 14, section 5.1)].

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. § 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. § 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. § 103(c) and potential 35 U.S.C. § 102(e), (f) or (g) prior art under 35 U.S.C. § 103(a).

7. Claims 54, 60, and 66 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hedin.

Regarding claims 54, 60, 66, and 68 Hedin does not expressly disclose the recited limitations, however Hedin does teach “position variants” with an associated date and release number [“*Revision control is central in SCM: within a component variant, there may be several consecutive revisions which can be attributed with date, release number, etc.*” (page 17, section 6.3)] which clearly suggests a “validity period,” as in a configuration rule for an obsolete version of the product would eventually be invalid [“*the central configuration problem is to select a suitable version for each of the components, typically in order to configure a product suitable*”

*for a given execution platform.” (page 17, section 6.3)]. This combined with Hedin’s teachings of validity checking [“The user builds a configuration by successively adding components, and at any time, the current partial configuration will limit the valid choices for remaining components. The configurator should have support for constructing valid configurations by presenting only the valid choices, and for automatically adding components when there is only one valid choice. It is also possible to automatically complete a partial configuration using default components and configuration properties.” (page 14, section 5.1)] clearly suggests enforcing only those configuration rules that have not expired, i.e. enforcing the rules that result in valid choices for valid dates and release numbers.*

Therefore it would have been obvious to a person of ordinary skill in the art at the time of Applicants’ invention, in combination with his own knowledge of the art, to follow the express suggestions of Hedin to arrive at the claimed invention wherein rules have an associated validity period and enforcing only those rules which have not expired. The motivation to do so is expressly taught by Hedin (page 14, section 5.1) in order to make only valid configurations in observation of the fact that certain components have a date or release number and may eventually become obsolete.

### ***Allowable Subject Matter***

8. Claims 55, 61, and 67 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Because of the rejections under 35 U.S.C. §§ 101 and 112, the

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Examiner withholds a statement of reasons for allowance until those rejections have been overcome.

*Conclusion*

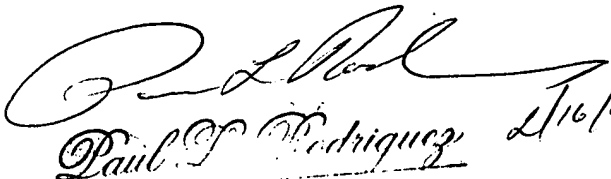
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason Proctor whose telephone number is (571) 272-3713. The examiner can normally be reached on 8:30 am-4:30 pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Picard can be reached at (571) 272-3749. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: 571-272-2100. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jason Proctor  
Examiner  
Art Unit 2123

jsp

  
Paul J. Rodriguez 2/16/02  
Primary Examiner  
Art Unit 2125